

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHERRISSE CASAR WILSON, Plaintiff, vs. UNITED STATES OF AMERICA, ET AL., Defendants.	2:23-CV-10528-TGB-DRG HON. TERRENCE G. BERG ORDER DENYING LIBERTY MUTUAL'S MOTION TO DISMISS (ECF NO. 10)
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Upon the Court's review of Liberty Mutual's motion to dismiss, ECF No. 10, it is clear that the motion addresses the complaint filed March 6, 2023, ECF No. 1, *not the amended complaint* filed March 17, 2023, ECF No. 5. The amended complaint is the operative pleading, and it added two defendants, USAA Casualty Insurance Company and the Michigan Automobile Insurance Placement Facility.

Consequently, because the motion to dismiss, ECF No. 10, responds to a pleading that is no longer operative, it is **DENIED** as **MOOT**. If Defendant Liberty Mutual wishes to file another motion to dismiss properly addressing the amended complaint, it must do so within 10 days.

IT IS SO ORDERED.

Dated: November 13, 2023 s/Terrence G. Berg
HON. TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE